United Nations S/2008/140

Security Council

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29 February 2008

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Letter dated 29 February 2008 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your letter dated 7 December 2007 (S/2007/725), and the accompanying note, and your letter dated 23 January 2008 (S/2008/41) and its annex, concerning the processing of letters of credit pertaining to the oil-for-food programme, have been brought to the attention of the members of the Security Council.

Security Council members continue to welcome the ongoing work of the United Nations Secretariat to bring to a complete and timely conclusion all outstanding issues related to the oil-for-food programme, which terminated on 31 December 2007.

Members of the Council note the action taken by you to implement the Council's decision in respect of the 17 letters of credit referred to in paragraph 16 of the note attached to your letter of 25 July 2007 (S/2007/476). They further note the transfer of $161 million of unencumbered funds to the Development Fund for Iraq as set out in your letter of 23 January 2008.

Council members take note of the status of the United Nations Iraq Account, and of the status of letters of credit as at 31 December 2007.

Council members welcome the positive developments between the United Nations Secretariat and the relevant ministries and authorities of the Government of Iraq at the Working Group meetings held in Amman on 20 and 21 November 2007 and from 7 to 17 January 2008.

Members of the Council call upon the Working Group to continue its efforts expeditiously to resolve all outstanding issues. In particular, Council members call upon the Government of Iraq and its Central Bank to transmit by 31 March 2008 the necessary confirmations of arrival of goods for which there are no commercial disputes or for which there are commercial disputes that can be resolved in the meantime.

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The members of the Security Council also take note of your proposal to address unresolved issues, including the mechanism set out in paragraphs 17 to 65 of your note of 7 December 2007. Council members request a further comprehensive report from you no later than 15 March 2008 on progress achieved in reducing the number of outstanding letters of credit and any other outstanding issues. In the light of your report, Council members will consider the procedures to be adopted by the United Nations Secretariat and the Government of Iraq to ensure the appropriate conclusion of the programme.

(*Signed*) Ricardo Alberto **Arias**
President of the Security Council

United Nations S/2008/141

Security Council

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France, Germany and United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006, its resolution 1737 (2006) of 23 December 2006 and its resolution 1747 (2007) of 24 March 2007, and *reaffirming* their provisions,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, the need for all States Party to that Treaty to comply fully with all their obligations, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Recalling the resolution of the IAEA Board of Governors (GOV/2006/14), which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

Noting with serious concern that, as confirmed by the reports of 23 May 2007 (GOV/2007/22), 30 August 2007 (GOV/2007/48), 15 November 2007 (GOV/2007/58) and 22 February 2008 (GOV/2008/4) of the Director General of the International Atomic Energy Agency (IAEA), Iran has not established full and sustained suspension of all enrichment related and reprocessing activities and heavy water-related projects as set out in resolution 1696 (2006), 1737 (2006), and 1747 (2007), nor resumed its cooperation with the IAEA under the Additional Protocol, nor taken the other steps required by the IAEA Board of Governors, nor complied with the provisions of Security Council resolution 1696 (2006), 1737 (2006) and 1747 (2007) and which are essential to build confidence, and *deploring* Iran's refusal to take these steps,

Noting with concern that Iran has taken issue with the IAEA's right to verify design information which had been provided by Iran pursuant to the modified Code 3.1, *emphasizing* that in accordance with Article 39 of Iran's Safeguards Agreement Code 3.1 cannot be modified nor suspended unilaterally and that the Agency's right to verify design information provided to it is a continuing right, which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility,

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Reiterating its determination to reinforce the authority of the IAEA, strongly supporting the role of the IAEA Board of Governors, *commending* the IAEA for its efforts to resolve outstanding issues relating to Iran's nuclear programme in the work plan between the Secretariat of the IAEA and Iran (GOV/2007/48, Attachment), *welcoming* the progress in implementation of this work plan as reflected in the IAEA Director General's reports of 15 November 2007 (GOV/2007/58) and 22 February 2008 (GOV/2008/4), *underlining* the importance of Iran producing tangible results rapidly and effectively by completing implementation of this work plan including by providing answers to all the questions the IAEA asks so that the Agency, through the implementation of the required transparency measures, can assess the completeness and correctness of Iran's declaration,

Expressing the conviction that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the IAEA Board of Governors would contribute to a diplomatic, negotiated solution, that guarantees Iran's nuclear programme is for exclusively peaceful purposes,

Stressing that China, France, Germany, the Russian Federation, the United Kingdom and the United States are willing to take further concrete measures on exploring an overall strategy of resolving the Iranian nuclear issue through negotiation on the basis of their June 2006 proposals (S/2006/521), and *noting* the confirmation by these countries that once the confidence of the international community in the exclusively peaceful nature of Iran's nuclear programme is restored, it will be treated in the same manner as that of any Non-Nuclear Weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons,

Having regard to States' rights and obligations relating to international trade,

Welcoming the guidance issued by the Financial Actions Task Force (FATF) to assist States in implementing their financial obligations under resolution 1737 (2006),

Determined to give effect to its decisions by adopting appropriate measures to persuade Iran to comply with resolution 1696 (2006), resolution 1737 (2006), resolution 1747 (2007) and with the requirements of the IAEA, and also to constrain Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of these resolutions have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme and, in this context, by Iran's continuing failure to meet the requirements of the IAEA Board of Governors and to comply with the provisions of Security Council resolutions 1696 (2006), 1737 (2006) and 1747 (2007), *mindful* of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Acting under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Reaffirms* that Iran shall without further delay take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions, and, in this context, *affirms* its decision that Iran

shall without delay take the steps required in paragraph 2 of resolution 1737 (2006), and *underlines* that the IAEA has sought confirmation that Iran will apply Code 3.1 modified;

2. *Welcomes* the agreement between Iran and the IAEA to resolve all outstanding issues concerning Iran's nuclear programme and progress made in this regard as set out in the Director General's report of 22 February 2008 (GOV/2008/4), *encourages* the IAEA to continue its work to clarify all outstanding issues, *stresses* that this would help to re-establish international confidence in the exclusively peaceful nature of Iran's nuclear programme, and *supports* the IAEA in strengthening its safeguards on Iran's nuclear activities in accordance with the Safeguards Agreement between Iran and the IAEA;

3. *Calls upon* all States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and *decides* in this regard that all States shall notify the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (herein "the Committee") of the entry into or transit through their territories of the persons designated in the Annex to resolution 1737 (2006), Annex I to resolution 1747 (2007) or Annex I to this resolution, as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3(b) (i) and (ii) of resolution 1737 (2006);

4. *Underlines* that nothing in paragraph 3 above requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of the above paragraph, take into account humanitarian considerations, including religious obligations, as well as the necessity to meet the objectives of this resolution, resolution 1737 (2006) and resolution 1747 (2007), including where Article XV of the IAEA Statute is engaged;

5. *Decides* that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in Annex II to this resolution as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006) and provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

6. *Decides* that the measures imposed by paragraph 5 above shall not apply where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the

Committee concludes that an exemption would otherwise further the objectives of the present resolution;

7. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in Annexes I and III to this resolution, and any persons or entities acting on their behalf or at their direction, and to entities owned or controlled by them and to persons and entities determined by the Council or the Committee to have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, this resolution, resolution 1737 (2006) or resolution 1747 (2007);

8. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft to, or for use in or benefit of, Iran, and whether or not originating in their territories, of:

(a) all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.7/Part 2 of document S/2006/814, except the supply, sale or transfer, in accordance with the requirements of paragraph 5 of resolution 1737 (2006), of items, materials, equipment, goods and technology set out in sections 1 and 2 of the Annex to that document, and sections 3 to 6 as notified in advance to the Committee, only when for exclusive use in light water reactors, and where such supply, sale or transfer is necessary for technical cooperation provided to Iran by the IAEA or under its auspices as provided for in paragraph 16 of resolution 1737 (2006);

(b) all items, materials, equipment, goods and technology set out in 19.A.3 of Category II of document S/2006/815;

9. *Calls upon* all States to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade, in order to avoid such financial support contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

10. *Calls upon* all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

11. *Calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, to inspect the cargoes to and from Iran, of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under this resolution or resolution 1737 (2006) or resolution 1747 (2007);

12. *Requires* all States, in cases when inspection mentioned in the paragraph above is undertaken, to submit to the Security Council within five working days a written report on the inspection containing, in particular, explanation of the grounds

for the inspection, as well as information on its time, place, circumstances, results and other relevant details;

13. *Calls upon* all States to report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 5, 7, 8, 9, 10 and 11 above;

14. *Decides* that the mandate of the Committee as set out in paragraph 18 of resolution 1737 (2006) shall also apply to the measures imposed in resolution 1747 (2007) and this resolution;

15. *Stresses* the willingness of China, France, Germany, the Russian Federation, the United Kingdom and the United States to further enhance diplomatic efforts to promote resumption of dialogue, and consultations on the basis of their offer to Iran, with a view to seeking a comprehensive, long-term and proper solution of this issue which would allow for the development of all-round relations and wider cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme, and inter alia, starting direct talks and negotiation with Iran as long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA;

16. *Encourages* the European Union High Representative for the Common Foreign and Security Policy to continue communication with Iran in support of political and diplomatic efforts to find a negotiated solution including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to create necessary conditions for resuming talks;

17. *Emphasizes* the importance of all States, including Iran, taking the necessary measures to ensure that no claim shall lie at the instance of the Government of Iran, or of any person or entity in Iran, or of persons or entities designated pursuant to resolution 1737 (2006) and related resolutions, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by the present resolution, resolution 1737 (2006) or resolution 1747 (2007);

18. *Requests* within 90 days a further report from the Director General of the IAEA on whether Iran has established full and sustained suspension of all activities mentioned in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the IAEA Board and with the other provisions of resolution 1737 (2006), resolution 1747 (2007) and of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;

19. *Reaffirms* that it shall review Iran's actions in light of the report referred to in the paragraph above, and:

(a) that it shall suspend the implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome;

(b) that it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7 and 12 of resolution 1737 (2006), as well as in paragraphs 2, 4, 5, 6 and 7 of

resolution 1747 (2007), and in paragraphs 3, 5, 7, 8, 9, 10 and 11 above, as soon as it determines, following receipt of the report referred to in the paragraph above, that Iran has fully complied with its obligations under the relevant resolutions of the Security Council and met the requirements of the IAEA Board of Governors, as confirmed by the IAEA Board;

(c) that it shall, in the event that the report shows that Iran has not complied with resolution 1696 (2006), resolution 1737 (2006), resolution 1747 (2007) and this resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with these resolutions and the requirements of the IAEA, and underlines that further decisions will be required should such additional measures be necessary;

20. *Decides* to remain seized of the matter.

Annex I

1. Amir Moayyed Alai (involved in managing the assembly and engineering of centrifuges)
2. Mohammad Fedai Ashiani (involved in the production of ammonium uranyl carbonate and management of the Natanz enrichment complex)
3. Abbas Rezaee Ashtiani (a senior official at the AEOI Office of Exploration and Mining Affairs)
4. Haleh Bakhtiar (involved in the production of magnesium at a concentration of 99.9%)
5. Morteza Behzad (involved in making centrifuge components)
6. Dr. Mohammad Eslami (Head of Defence Industries Training and Research Institute)
7. Seyyed Hussein Hosseini (AEOI official involved in the heavy water research reactor project at Arak)
8. M. Javad Karimi Sabet (Head of Novin Energy Company, which is designated under resolution 1747 (2007))
9. Hamid-Reza Mohajerani (involved in production management at the Uranium Conversion Facility (UCF) at Esfahan)
10. Brigadier-General Mohammad Reza Naqdi (former Deputy Chief of Armed Forces General Staff for Logistics and Industrial Research/Head of State Anti-Smuggling Headquarters, engaged in efforts to get round the sanctions imposed by resolutions 1737 (2006) and 1747 (2007))
11. Houshang Nobari (involved in the management of the Natanz enrichment complex)
12. Abbas Rashidi (involved in enrichment work at Natanz)
13. Ghasem Soleymani (Director of Uranium Mining Operations at the Saghand Uranium Mine)

Annex II

A. Individuals listed in resolution 1737 (2006)

1. Mohammad Qannadi, AEOI Vice President for Research & Development
2. Dawood Agha-Jani, Head of the PFEP (Natanz)
3. Behman Asgarpour, Operational Manager (Arak)

B. Individuals listed in resolution 1747 (2007)

1. Seyed Jaber Safdari (Manager of the Natanz Enrichment Facilities)
2. Amir Rahimi (Head of Esfahan Nuclear Fuel Research and Production Center, which is part of the AEOI's Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities)

Annex III

1. Abzar Boresh Kaveh Co. (BK Co.) (involved in the production of centrifuge components)
2. Barzagani Tejarat Tavanmad Saccal companies (subsidiary of Saccal System companies) (this company tried to purchase sensitive goods for an entity listed in resolution 1737 (2006))
3. Electro Sanam Company (E. S. Co./E. X. Co.) (AIO front-company, involved in the ballistic missile programme)
4. Ettehad Technical Group (AIO front-company, involved in the ballistic missile programme)
5. Industrial Factories of Precision (IFP) Machinery (aka Instrumentation Factories Plant) (used by AIO for some acquisition attempts)
6. Jabber Ibn Hayan (AEOI laboratory involved in fuel-cycle activities)
7. Joza Industrial Co. (AIO front-company, involved in the ballistic missile programme)
8. Khorasan Metallurgy Industries (subsidiary of the Ammunition Industries Group (AMIG) which depends on DIO. Involved in the production of centrifuges components)
9. Niru Battery Manufacturing Company (subsidiary of the DIO. Its role is to manufacture power units for the Iranian military including missile systems)
10. Pishgam (Pioneer) Energy Industries (has participated in construction of the Uranium Conversion Facility at Esfahan)
11. Safety Equipment Procurement (SEP) (AIO front-company, involved in the ballistic missile programme)
12. TAMAS Company (involved in enrichment-related activities. TAMAS is the overarching body, under which four subsidiaries have been established, including one for uranium extraction to concentration and another in charge of uranium processing, enrichment and waste)

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Security Council

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Letter dated 1 March 2008 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

I have the honour to request an urgent meeting of the Security Council to consider the deteriorating situation in the Occupied Palestinian Territory, due to continuing Israeli military attacks on the civilian population, under agenda item "the situation in the Middle East, including the Palestinian question".

(*Signed*) Giadalla Azuz **Ettalhi**
Ambassador
Permanent Representative

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Security Council

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Letter dated 1 March 2008 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Council to be held today, Saturday, 1 March 2008, regarding the situation in the Middle East, including the Palestinian question.

(*Signed*) Dr. Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

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General Assembly
Security Council

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 1 March 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

It is with deepest regret that I inform you that Israel, the occupying Power, continues its deadly rampage in the Gaza Strip and that the Palestinian death toll continues to rise, with many innocent children and women among the dead and wounded.

What we are witnessing now is the horrific materialization of the repeated threats made by several Israeli officials, who have threatened to launch large-scale military attacks against the Palestinian people under their occupation in the Gaza Strip. In this regard, it must be brought to your attention that the Deputy Defense Minister of Israel, Matan Vilnai, has threatened to inflict a "holocaust" among the Palestinian people in Gaza. Such threats, combined with the actual killing of civilians and destruction being perpetrated by Israel, the occupying Power, must be viewed with the utmost seriousness, must be vehemently condemned and require immediate action by the international community, including the Security Council.

Civilians under foreign occupation are entitled to protection — of their person and of their dignity — under international humanitarian law. Moreover, it must be clearly and firmly reiterated that international humanitarian law absolutely prohibits reprisals against a civilian population. Real and immediate measures must be taken to avert the killing of even more innocent souls and avert the uncontrollable spiral of the situation to irreversible depths, wherein the vicious, depraved and deadly cycle of violence will consume everything in its path and extinguish all hopes.

In this regard, I must draw your attention to the fact that, today, Saturday, 1 March 2008, the Palestinian people in the northern Gaza Strip town of Jabaliya were awoken from their sleep by the terror of another Israeli military onslaught — a planned and deliberate attack against a heavily populated civilian area. The Israeli military attacks since the pre-dawn hours, mainly by missile strikes from warplanes and also by artillery attacks from ground forces, have thus far resulted in the killing of at least 50 Palestinians, bringing to 84 the total number of Palestinians killed

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since Wednesday. Initial reports indicate that at least five children, including a 2-day-old infant and three women, are among the dead, several of them members of the same family. This rising death toll, and particularly the deplorable killing of children, over 19 in the past few weeks, as well as women, elderly people, and other innocents, should be gravely alarming and disturbing to any with a conscience.

Further, today in the Gaza Strip, it is being reported that more than 150 Palestinians have been wounded by the Israeli occupying forces in this latest round of attacks. The hospitals in Gaza, which are already facing critical shortages of medical supplies and decaying equipment as a result of the ongoing Israeli siege of Gaza, are now exerting all efforts possible under such circumstances to treat those wounded in these attacks. Additionally, the Israeli occupying forces continue to target medical rescue teams and forbid ambulances to evacuate the wounded. Meanwhile, the rest of the population in the area, gripped by panic and fear and already suffering humanitarian hardship, is reported to be hiding in their homes, but even there they know they are not safe from the military strikes of the occupying Power.

Israel, the occupying Power, must be held accountable for all of these grave breaches of international law, including humanitarian and human rights law, in the Occupied Palestinian Territory, including East Jerusalem. Lack of accountability will only lead to the perpetration of even more war crimes with impunity, as evidenced by the tragic and violent events of today. Moreover, in this regard, it cannot be doubted that the further intensification of the cycle of violence is only deepening suffering, stoking anger and bitterness, heightening tensions and frustrations, fuelling extremism and drowning moderation.

The Palestinian leadership calls for an emergency meeting of the Security Council to address this dramatic deterioration of the situation on the ground in the Occupied Palestinian Territory. At this time of crisis, we reiterate our call upon the international community to uphold international law in all circumstances and the Security Council to uphold its Charter responsibilities and to undertake immediate measures to address this grave situation being faced by the Palestinian people. Continued silence and paralysis will surely bring only more death and destruction.

The international community must condemn the killing of civilians by Israel, the occupying Power, which is causing only more suffering and loss for the Palestinian people and taking us further away from the vision of peace we have been striving so desperately to realize, to no avail, as all efforts have been constantly undermined by such actions. Therefore, we call on the international community to shoulder its legal and moral obligation and provide the defenceless Palestinian civilians with urgently needed and effective protection. Additionally, an immediate ceasefire in the Occupied Palestinian Territory and tangible action are required to bring an end to the violence, the killing of civilians, the destruction and the obstruction of the provision of humanitarian assistance.

This letter is in follow-up to our previous 309 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 28 February 2008 (A/ES-10/414-S/2008/149), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian

people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, it is my deep regret to inform you that, since our last letter to you, 53 more Palestinians, including at least 5 children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 5,065. (As all the martyrs have not yet been identified, their names will be included in an annex to a future letter.)

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

United Nations S/2008/145

Security Council

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3 March 2008

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Special report of the Secretary-General on the United Nations Mission in Ethiopia and Eritrea

I. Introduction

1. On 21 January 2008, I addressed a letter to the President of the Security Council by which I brought to the attention of members of the Council the crisis facing the United Nations Mission in Ethiopia and Eritrea (UNMEE) as a result of Eritrea's stoppage of all fuel supplies to the Mission since 1 December 2007. In my report of 23 January 2008 (S/2008/40 and Corr.1), I informed the Council that UNMEE was beginning to experience serious difficulties in sustaining its troops and military observers and in maintaining reliable communications with deployment sites in the Temporary Security Zone.

2. UNMEE had formally conveyed its serious concerns about the non-delivery of fuel in a letter dated 12 December 2007 addressed to the Eritrean Commissioner who oversees liaison with the Mission. Follow-up letters were also sent to the Commissioner by UNMEE on 24 and 26 December 2007. In addition, my Deputy Special Representative met with the Commissioner on 18 and 22 December 2007, and again on 28 and 29 January 2008 to impress upon him the gravity of the crisis and its impact on the operations of the Mission, as well as the safety and security of its personnel. Furthermore, UNMEE sought, on several occasions, Eritrea's authorization to import the fuel directly or from the United Nations Mission in the Sudan.

3. The Eritrean authorities informed UNMEE that the non-delivery of fuel to the Mission was "a technical matter" that would be resolved shortly. However, despite multiple representations by the Mission and United Nations Headquarters, they did not subsequently take any action to address the situation or allow the Mission to import the fuel. I therefore addressed a letter to President Isaias Afwerki of Eritrea on 21 January 2008, requesting him, as a last resort, to intervene personally to resolve the crisis. In that letter, I pointed out that the fuel crisis was forcing UNMEE to halt its operations by making it difficult to maintain reliable communications and sustain troops and military observers in the Temporary Security Zone. Furthermore, I took the opportunity to renew my offer to assist Eritrea and Ethiopia to implement their obligations under the Algiers Agreements.

4. By the end of January, the situation remained unresolved, forcing UNMEE to drastically reduce its daily patrols in the Temporary Security Zone, from 60 on average before the fuel stoppage, to a mere 20. At that time, the Mission estimated

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that, if it maintained that minimum level of operations without replenishing its dwindling stocks, the available fuel would be completely exhausted by the end of March 2008.

5. As the crisis remained unresolved when I met with Prime Minister Meles Zenawi of Ethiopia in Addis Ababa on 31 January, on the margins of the African Union Summit, I conveyed my deep concern about the situation facing UNMEE and informed him that if the fuel supplies were not resumed immediately, the Mission would be forced to halt its operations and relocate from Eritrea. I sought the Prime Minister's agreement to temporarily relocate UNMEE Eritrea-based personnel and equipment to Ethiopia, pending a resolution of the difficulties created by the fuel crisis and a decision of the Security Council on the future direction of the Mission. The Prime Minister agreed, in principle, to my request and indicated to me that the longer-term presence of relocated personnel from UNMEE would require further discussion.

6. As the situation had become untenable for UNMEE, and especially for the peacekeepers deployed in remote areas of the Temporary Security Zone, I sent a further letter to the President of the Security Council on 1 February 2008 (S/2008/66). In that letter, I informed the President of the Council that if the Eritrean authorities did not resume the fuel supplies by 6 February 2008, I would be compelled to instruct UNMEE to begin relocating the Mission's personnel and equipment from Eritrea in order to avoid total immobilization of the Mission, which would endanger the safety and security of United Nations personnel. I also informed the Council that the Department of Peacekeeping Operations would immediately send a technical assessment mission to Eritrea and Ethiopia to discuss ways of addressing the crisis, assist UNMEE to finalize an emergency relocation plan and seek its views, as well as those of the Eritrean and Ethiopian authorities, on the future direction of the Mission.

II. Emergency relocation of UNMEE

7. The technical assessment mission, which comprised participants from relevant offices of the Departments of Peacekeeping Operations, Field Support and Safety and Security, travelled to Addis Ababa from 6 to 11 February. The technical assessment mission was not able to travel to Eritrea because the Eritrean authorities, without providing any reason, cancelled the visas which had been issued to the participants a day earlier. However, the Secretariat addressed a note verbale to the Permanent Mission of Eritrea to the United Nations on 8 February, informing the Government of Eritrea of the decision to relocate the Mission's personnel and requesting the Government to extend the necessary cooperation to UNMEE.

8. The technical assessment mission assisted UNMEE in finalizing its emergency relocation plan and held productive discussions on the plan, as well as on the future direction of UNMEE, with senior officials from the Ethiopian Ministry of Foreign Affairs, the Chief of General Staff of the Ethiopian Armed Forces and commanders of the military regions adjacent to the border area, and the Minister of State for Foreign Affairs. On 9 February, the team visited some of the sites proposed for the relocation of the Mission, to assess their suitability to receive the relocating personnel and equipment. The team also attended a briefing organized by UNMEE for ambassadors from members of the Security Council and troop-contributing

countries accredited to Ethiopia, and participated in a videoconference with UNMEE senior management based in Asmara and the United Nations Development Programme Resident Representative and Resident Coordinator for Eritrea, to discuss the relocation arrangements.

9. The emergency relocation plan of UNMEE was discussed and agreed to between UNMEE, the technical assessment mission and Ethiopia's Ministry of Defence on 10 February. The plan provided for the cross-border movement of a total of 1,375 military personnel and their equipment from the Temporary Security Zone, to regroup at five sites in Ethiopia (Adigrat, Axum, Axum/Adwa area, Mekele and Manda). The personnel consisted of units from Sector Centre (the Indian Battalion, the Indian Construction Company and the Kenyan Guard Company); a company of the Indian Battalion deployed in Subsector East; units from Sector West (the Jordanian Battalion, the Kenyan Demining Unit and some members of the Indian Engineering Construction Company); as well as units from Asmara (the Jordanian Level II Hospital, UNMEE Forward Force Headquarters, the Jordanian Military Police Platoon and the Kenyan Guard Company). The relocation sites were selected on the basis of the availability of facilities and water, and proximity to the areas being vacated by those units.

10. The Mission's 115 military observers relocating from the Temporary Security Zone were to be distributed to three of the above relocation sites and later sent on leave, pending a resolution of the crisis. Some of the 150 UNMEE international civilian staff serving in Eritrea were to be assigned to UNMEE headquarters in Addis Ababa and the sites identified above, on a needs basis, while some 60 personnel, including the Deputy Special Representative and the Chief of Mission Support, would remain in Asmara as long as possible for essential liaison purposes and to finalize the inventory of equipment that would be left behind. Non-essential staff could be considered for temporary reassignment to other Missions, such as the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the United Nations Mission in the Central African Republic (MINURCAT). A total of 15 UNMEE international staff from the Mine Action Coordination Centre, as well as some 50 international contractor personnel, were to relocate to Addis Ababa and Adigrat.

11. The Ethiopian authorities agreed to host the relocated personnel and equipment on the understanding that the personnel would stay in Ethiopia for a limited time, pending a decision of the Security Council on the future direction of UNMEE; the relocated military personnel would remain on administrative, rather than operational status, and would be separate from the troops and military observers already deployed on the Ethiopian side; and the existing status-of-forces agreement between the United Nations and Ethiopia would cover all relocated UNMEE equipment and personnel.

12. The Ethiopian authorities also requested that the Security Council formally confirm that the Temporary Security Zone and adjacent areas would remain the UNMEE area of operations. They welcomed the statement issued by my spokesperson on 5 February 2008 clarifying that the forced temporary relocation of the Mission was without prejudice to the provisions of the Agreement on Cessation of Hostilities of 18 June 2000, including the integrity of the Temporary Security Zone.

13. However, the planned ground relocation to Ethiopia had to be abandoned owing to the lack of cooperation of the Eritrean authorities. The movement of small advance parties started on 11 February. An advance unit of the Indian Battalion carrying equipment in five vehicles was allowed to cross the border on 11 February. However, on 12 February, vehicles of the Mine Action Coordination Centre were stopped by soldiers of the Eritrean Defence Forces in Sector Centre, and two vehicles of the Indian Battalion were also prevented from crossing the border in Subsector East. The Mine Action Coordination Centre vehicles were allowed to cross the border on 13 February. In one case, on 14 February, UNMEE personnel from the Kenyan Demining Company were threatened and their equipment seized. The equipment was returned on 15 February. In all, since the beginning of the movement of UNMEE advance units on 11 February, no more than six vehicles were allowed by the Eritrean authorities to cross into Ethiopia.

14. On 15 February, the commercial company that distributes food rations to UNMEE informed the Mission that it would not be able to distribute the following week's rations as its subcontracted Eritrean company had stated that it had no vehicles "to do business for UNMEE". The Department of Field Support immediately raised the issue with the Permanent Representative of Eritrea to the United Nations and informed him that some of the relocating contingents had only two days of emergency rations left. Later that day, the contractor delivered one month of rations to UNMEE in Asmara and, on the following day, UNMEE delivered the rations to the contingents.

15. Efforts by UNMEE to engage the Eritrean authorities to request them to facilitate the relocation to Ethiopia were unsuccessful. On 12 February, the Commissioner who oversees liaison with UNMEE met with my Deputy Special Representative to discuss the relocation plan. However, the Commissioner stated that he had no instructions to discuss the relocation arrangements because the exercise was based on a "unilateral decision" by the United Nations. The Secretariat met with the Permanent Representative of Eritrea to the United Nations on 13 and 15 February to convey the request to his Government to extend its full cooperation to UNMEE during the relocation. However, on 15 February the Ministry of Foreign Affairs of Eritrea issued a press statement which, among other things, asserted that "the Government of Eritrea cannot discuss or acquiesce to the temporary relocation or some other new arrangement that is at variance with provisions of the Algiers Peace Agreement".

16. On 14 and 15 February, the Secretariat briefed countries contributing troops to UNMEE on the unfolding developments. All troop-contributing countries considered the situation facing UNMEE and the measures imposed by the Eritrean authorities as unwarranted, untenable and unacceptable. They also demanded that the Government of Eritrea provide the fuel required for the relocation of the Mission and allow UNMEE peacekeepers to leave Eritrea with their equipment and in a dignified and orderly manner.

III. Regrouping of UNMEE in Asmara and Assab

17. Given the obstruction encountered by UNMEE in conducting its temporary relocation across the border, the Mission was compelled to activate an alternative contingency plan, under which personnel and equipment from the Temporary

Security Zone have regrouped in Asmara and Assab. The movement of personnel and equipment to Asmara under this plan started on 17 February. A number of serious incidents during which Eritrean Defence Forces soldiers prevented the movement of UNMEE personnel and equipment have since occurred. On 17 February, in Sector West, Eritrean Defence Forces soldiers blocked the movement of two UNMEE trucks from transporting four armoured personnel carriers of the Jordanian contingent at Om Hajer. On the same day, in Subsector East, two vehicles from the Indian Battalion carrying five soldiers, as well as weapons and ammunition, from Point 74 to Assab were stopped at an Eritrean Defence Forces checkpoint and turned back.

18. Eritrean Defence Forces soldiers also seized fuel drums from a team of deminers from the UNMEE Mine Action Coordination Centre who were conducting assessments to clear the routes to be used for relocation from Sector West. The fuel was returned later that day. On 19 February, three Indian Battalion vehicles carrying eight soldiers, weapons, ammunition and administrative stores were blocked by Eritrean Defence Forces soldiers in Subsector East. Also, on that day, a convoy from the UNMEE Mine Action Coordination Centre carrying 18 mine-detecting dogs was held up at a checkpoint at Forto, in Sector Centre, but was eventually allowed to cross the border into Ethiopia. The Eritrean Defence Forces soldiers involved in blocking those movements informed UNMEE personnel that they had instructions from their headquarters not to allow loaded UNMEE vehicles to leave the Temporary Security Zone.

19. In a letter dated 20 February 2008 addressed to the President of the Security Council (S/2008/114), the Permanent Representative of Eritrea stated that, until 19 February, UNMEE had not informed the Eritrean authorities of its decision to regroup its personnel in Asmara. However, on 12 February my Deputy Special Representative did meet with the Acting Eritrean Commissioner in charge of liaison with UNMEE to discuss the relocation arrangements, but, as indicated earlier, the Commissioner maintained that he had no instructions to discuss the Mission's relocation. UNMEE also sent notes verbales to the Eritrean authorities on 15 and 18 February informing them of the status of the temporary relocation of personnel and equipment.

20. On 19 February, the Commissioner agreed to meet the Deputy Special Representative and informed him that the Government would allow the movement of the blocked personnel and equipment to Asmara. On 20 February, as Eritrean Defence Forces soldiers continued to prevent the relocation despite the positive message received from the Commissioner, UNMEE addressed a further note verbale to the Commissioner informing him of the difficulties the Mission was facing. On the same day, the previously blocked convoys were allowed to move to Asmara.

21. However, UNMEE has continued to encounter problems, including two incidents on 23 February, in Sector Centre, where Eritrean Defence Forces soldiers prevented a unit of the Indian Battalion from transporting fuel, and another incident on the same day, also in Sector Centre, when Eritrean Defence Forces soldiers prevented the transportation of equipment from the Indian Battalion post at Italian Fort. On 25 February, Eritrean Defence Forces soldiers also prevented six UNMEE trucks from moving to Camp Dunn to transport equipment for the Indian Battalion, and another incident occurred in the same area where two vehicles from the Indian Battalion were also prevented from travelling to Camp Dunn.

22. All military units were given orders to carry as much of their equipment as the available fuel would allow. In that regard, the Secretariat has instructed the Mission to give priority to the movement of personnel; personal weapons; ammunition and weapons systems; sensitive equipment, such as communications gear and computers; contingent-owned equipment that is essential for the sustainment of the units; and high-value United Nations-owned equipment, in that order.

23. The Mission was further instructed to fully inventory all equipment and materiel not able to be relocated and to present those inventories to the Eritrean authorities with a communication conveying the expectation of the United Nations that the Government of Eritrea would safeguard that materiel until it could be safely removed. On 22 February, UNMEE sent a note verbale to the Eritrean authorities informing them about the United Nations equipment that would be left at the vacated sites and requesting their cooperation in the safekeeping of the equipment, given the temporary nature of the relocation. A meeting was also held with the Eritrean Commissioner on 22 February to discuss the matter. However, the Commissioner stated that since UNMEE had "unilaterally" decided to relocate from the Temporary Security Zone, Eritrea should not be held responsible for any items left behind during the relocation.

24. As of 26 February, the number of personnel relocated from the Temporary Security Zone to Asmara from Sector West and Sector Centre was as follows: Jordanian Battalion: 353 out of 491 (the total strength of the Jordanian contingent is 498, with 7 deployed on the Ethiopian side); Indian Battalion: 196 out of 353 (the total strength of the Indian Battalion is 600, with 150 in Adigrat, on the Ethiopian side); Kenyan Demining Company: 36 out of 40; Indian Construction Company: 4 out of 15; and 92 out of 109 military observers. In Subsector East, the number of personnel regrouped at Assab from various isolated sites is as follows: a total of 101 troops from the Indian Battalion and the Indian Construction Company, as well as 11 military observers from various countries. The personnel regrouped at Assab will not relocate to Asmara as Assab has a seaport and airport that would be used to repatriate the personnel and equipment.

25. The Secretariat addressed a note verbale to the Permanent Mission of Eritrea on 22 February, requesting the Government of Eritrea to reconsider its position, resume fuel supplies to UNMEE, lift all restrictions against the Mission, and allow UNMEE to carry on with its mandate. To date the Eritrean authorities have not responded to that request.

26. Meanwhile, the military personnel deployed on the Ethiopian side have not been affected by the fuel crisis and continue to perform their mandated tasks. These personnel consist of a unit from the Jordanian Battalion deployed at Humera, the Indian Battalion Sector Headquarters at Adigrat, an aviation unit from Uruguay, a Kenyan Guard Company deployed at the UNMEE headquarters in Addis Ababa, as well as military observers deployed at seven team sites.

IV. Observations

27. The original plan to relocate the Eritrea-based UNMEE personnel and equipment to Ethiopia had envisaged that the relocated personnel would remain in Ethiopia for a limited duration pending the resolution of the fuel crisis, failing which the Security Council would decide on the future of the Mission. The

regrouping in Asmara and Assab under an alternative contingency plan, however, poses some unforeseen challenges. There are no adequate facilities in Asmara and Assab for an extended stay of the troops. Indeed, the relocated military personnel and their equipment are being accommodated in substandard, congested, ad hoc facilities at three adjacent locations in Asmara (the former staff officers' camp, former transit camp and current Kenyan Camp).

28. A further relocation from Asmara and Assab to the originally designated sites in Ethiopia would be a lengthy and complex exercise. While the Mission's personnel can fly out of Asmara and Assab to Ethiopia in a relatively short period of time, it would take up to three months to relocate the equipment from Asmara by road to Massawa Port, ship it to Djibouti and then transport it by road again to the five designated relocation sites in Ethiopia.

29. In the light of these circumstances, I have given UNMEE instructions to begin the process of relocating the military personnel that have regrouped in Asmara and Assab to their home countries, pending a final decision by the Security Council on the future of UNMEE. The necessary personnel from the Indian, Jordanian and Kenyan Contingents would remain in Asmara as a rear party to secure the contingent-owned equipment and facilitate its transportation by road and sea as and when a decision has been taken. With regard to the relocated military observers, those who are soon to complete their tour of duty will be repatriated immediately while the remainder will be reassigned to Ethiopia to replace their colleagues who are due for rotation.

30. In addition, as envisaged in the original plan, some 60 international civilian personnel, including the Deputy Special Representative and the Chief of Mission Support, would also remain in Asmara for essential liaison purposes and to inventory the equipment that will be left behind. The military and civilian personnel deployed on the Ethiopian side would remain in their positions until the Security Council has decided on the future of UNMEE.

31. The restrictions imposed by the Eritrean authorities on UNMEE are unacceptable and in breach of the fundamental principles of peacekeeping. They also bear serious implications for the safety and security of peacekeepers deployed elsewhere. As a party to the Agreement on Cessation of Hostilities, under which the two countries invited the United Nations to deploy peacekeepers on their territory, Eritrea has an obligation to treat the peacekeepers with respect and dignity, and to guarantee their safety and security, as well as their right to move freely and perform their mandated tasks without any restrictions.

32. In view of the untenable situation Eritrea has placed UNMEE in, it is vital to relocate the Mission's personnel there to sustainable locations. The present report serves to inform the Security Council of these steps. Once the relocation outlined in this report is complete, I intend to submit to the Council a further report providing options and recommendations for any future United Nations peacekeeping presence in the area.

33. It bears recalling that the crisis takes place in a context in which there remain a number of fundamental political and legal issues at the centre of the dispute between Ethiopia and Eritrea, including the implementation of the decisions of the Eritrea-Ethiopia Boundary Commission. If left unresolved, these issues will remain a source of tension in the border area and will continue to pose an inherent danger of

potential escalation. As indicated in my report of 23 January, I have made it clear to the two parties that my offer of good offices remains available. It is, however, imperative for the Security Council to consider ways to address these underlying issues which are at the root of the tensions between Eritrea and Ethiopia and have impeded UNMEE operations.

34. In the meantime, there is still an opportunity for Eritrea to reconsider its position, resume fuel supplies to UNMEE, lift all restrictions on the Mission, and allow it to continue to perform the tasks originally envisaged in the Agreement on Cessation of Hostilities.

35. However, should Eritrea not do so, it has an obligation to facilitate the smooth and orderly relocation of the peacekeepers with their equipment from Asmara. This temporary relocation is without prejudice to any of the provisions of the Agreement on Cessation of Hostilities of 18 June 2000, including the sanctity of the Temporary Security Zone. Furthermore, I strongly urge Eritrea and Ethiopia to avoid any action which could exacerbate the situation in the border areas and undermine that Agreement.

36. I am also concerned that the temporary relocation of UNMEE from Eritrea implies that the existing UNMEE support to the United Nations country team in the areas of communications and security would no longer be available. The Secretariat has begun discussing with the United Nations agencies ways to address their specific needs.

37. I take this opportunity to thank all Governments concerned for their cooperation in the matter of relocating UNMEE personnel on a temporary basis while a solution to the crisis facing the Mission is being sought. I also thank the countries contributing troops to UNMEE for their valuable and sustained support to the Mission. Finally, I am most grateful to the men and women serving with UNMEE who have made an invaluable contribution to the efforts to stabilize the region, often under difficult and at times hazardous circumstances.

United Nations S/2008/146

Security Council

Distr.: General
3 March 2008
English
Original: Spanish

Letter dated 3 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Ecuador to the United Nations addressed to the President of the Security Council

On instructions from my Government, I should like to provide an account of the facts in relation to Colombia's violation of Ecuador's sovereignty and territorial integrity.

In the early morning of Saturday, 1 March, military aircraft and army and police personnel from Colombia made incursions into Ecuadorian territory in the Province of Sucumbios, approximately 3 kilometres south of the Putumayo River. After clashing with members of the Revolutionary Armed Forces of Colombia (FARC), they killed 17 people, including high-ranking leaders of that irregular Colombian group. In the context of these events, forces of the Colombian State entered the territory of Ecuador, took possession of a number of bodies and transported them back to Colombia. Investigations by Ecuadorian law enforcement established these facts on the basis of statements by local residents and data collected by Ecuadorian military units that reached the scene hours after these incidents had taken place. The Ecuadorian authorities received no advance notice of the Colombian operation and did not give permission for its conduct or for the entry of Colombian forces into Ecuadorian territory.

Ecuador is aware of the political, legal and social realities of the Colombian conflict. It deplores the severe effects which the conflict has had for decades on the society of this neighbouring country and does not support the violent methods used by irregular groups. In the framework of international law, the Ecuadorian State has always cooperated with the Colombian authorities in actions that are consistent with the two countries' laws and with human rights. Unfortunately, such bilateral cooperation was not in evidence in relation to the events described, which therefore constitute a violation of Ecuador's territorial integrity and legal framework.

The Government of Ecuador is deeply disappointed by the actions of the Colombian forces. At the same time, it rejects the presence of members of irregular Colombian groups in its territory. The Government of Ecuador reiterates its strong determination not to allow the nation's territory to be used by third parties for the conduct of military operations or as a base of operations in the context of the Colombian conflict. Ecuador will make use of all available security resources to prevent any recurrence of these circumstances. No military force, whether regular or irregular, may take action in Ecuadorian territory, and Ecuador, in accordance with its right to self-defence and security, will repel, capture and bring to justice any

08-25821 (E) 040308 040308

armed individuals who enter Ecuadorian territory or establish themselves therein for the purpose of carrying out illegal activities.

The Government of Ecuador once again calls for a peaceful solution to Colombia's internal conflict in the framework of that country's laws and in accordance with human rights and international humanitarian law. It trusts that the Colombian State and the irregular groups will find a way to reach a political settlement that will spare Colombian society the terrible consequences of violence. In the same vein, and for eminently humanitarian reasons, it expresses the fervent hope that the hostages held by irregular groups will be promptly released and that their personal integrity will be ensured. The Republic of Ecuador will always stand ready to contribute, to the best of its ability, towards humanitarian efforts to achieve peace and understanding in Colombia.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Rodrigo **Riofrío**
Ambassador
Chargé d'affaires a.i.

United Nations S/2008/147

Security Council

Distr.: General
4 March 2008

Original: English

Letter dated 3 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I should be grateful if you would circulate, as a document of the Security Council, the attached statement agreed by the Foreign Ministers of China, France, Germany, Russia, the United Kingdom and the United States of America, with the support of the High Representative of the European Union, concerning the Iran nuclear issue (see annex).

(*Signed*) Karen **Pierce**
Chargé d'affaires a.i.

08-25889 (E) 040308

Annex to the letter dated 3 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

Statement agreed by the Foreign Ministers of China, France, Germany, Russia, the United Kingdom and the United States of America, with the support of the High Representative of the European Union, concerning the Iran nuclear issue

3 March 2008

Today, the Security Council adopted resolution 1803 (2008), reflecting the international community's ongoing serious concerns about the proliferation risks of the Iranian nuclear programme. This is the third time that the Security Council has sent a strong message of international resolve to Iran by adopting a sanctions resolution under Article 41, Chapter VII, of the Charter of the United Nations, on Iran's nuclear programme. We deplore Iran's continued failure to comply with its Security Council and International Atomic Energy Agency (IAEA) Board requirements, in particular by expanding its enrichment-related activities. We note the progress made in implementing the IAEA-Iran workplan and the serious concerns of IAEA about the "alleged studies", which are critical to an assessment of a possible military dimension to Iran's nuclear programme. We call upon Iran to heed the requirement of the Security Council and IAEA, including the suspension of its enrichment-related and reprocessing activities.

We remain committed to an early negotiated solution to the Iranian nuclear issue and reaffirm our commitment to a dual-track approach. We reconfirm the proposals we presented to Iran in June 2006 and are prepared to further develop them. Our proposals will offer substantial opportunities for political, security and economic benefits to Iran and to the region. We urge Iran to take this opportunity to engage with us all and to find a negotiated way forward. We reiterate our recognition of Iran's right to the development, research, production and use of nuclear energy for peaceful purposes in conformity with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons. We reconfirm that once the confidence of the international community in the exclusively peaceful nature of Iran's nuclear programme is restored, it will be treated in the same manner as that of any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons. We remain ready to negotiate future arrangements, modalities and timing in this respect, once the conditions for negotiations have been established.

This will require further diplomatic efforts and innovative approaches. To that end, we have asked Dr. Javier Solana, the European Union's High Representative for Common Foreign and Security Policy, to meet with Dr. Saeed Jalili, Secretary of Iran's Supreme National Security Council, and to address the interests and concerns of both sides in a manner that can gradually create the conditions for the opening of negotiations.

United Nations S/2008/147*

Security Council

Distr.: General
7 March 2008

Original: English

Letter dated 3 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I should be grateful if you would circulate, as a document of the Security Council, the attached statement agreed by the Foreign Ministers of China, France, Germany, Russia, the United Kingdom and the United States of America, with the support of the High Representative of the European Union, concerning the Iran nuclear issue (see annex).

(*Signed*) Karen Pierce
Chargé d'affaires a.i.

* Reissued for technical reasons.

08-25889* (E) 070308

Annex to the letter dated 3 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

Statement agreed by the Foreign Ministers of China, France, Germany, Russia, the United Kingdom and the United States of America, with the support of the High Representative of the European Union, concerning the Iran nuclear issue

3 March 2008

"Today the United Nations Security Council adopted resolution 1803 (2008), reflecting the international community's ongoing serious concerns about the proliferation risks of the Iranian nuclear programme. This is the third time that the United Nations Security Council has sent a strong message of international resolve to Iran by adopting a sanctions resolution under Article 41 of Chapter VII of the Charter of the United Nations on Iran's nuclear programme. We deplore Iran's continued failure to comply with its United Nations Security Council and IAEA Board requirements, in particular by expanding its enrichment-related activities. We note the progress made in implementing the IAEA-Iran work plan and the IAEA's serious concerns about the 'alleged studies', which are critical to an assessment of a possible military dimension to Iran's nuclear programme. We call upon Iran to heed the requirements of the United Nations Security Council and the IAEA, including the suspension of its enrichment-related and reprocessing activities.

"We remain committed to an early negotiated solution to the Iranian nuclear issue and reaffirm our commitment to a dual-track approach. We reconfirm the proposals we presented to Iran in June 2006 and are prepared to further develop them. Our proposals will offer substantial opportunities for political, security and economic benefits to Iran and to the region. We urge Iran to take this opportunity to engage with us all and to find a negotiated way forward. We reiterate our recognition of the right of Iran to develop research, production and use of nuclear energy for peaceful purposes in conformity with its NPT obligations. We reconfirm that once the confidence of the international community in the exclusively peaceful nature of Iran's nuclear programme is restored it will be treated in the same manner as that of any non-nuclear-weapon State party to the NPT. We remain ready to negotiate future arrangements, modalities and timing in this respect once the conditions for negotiations have been established.

"This will require further diplomatic efforts and innovative approaches. To that end, we have asked Dr. Javier Solana, the High Representative of the European Union for Common Foreign and Security Policy, to meet with Dr. Saeed Jalili, Secretary of Iran's Supreme National Security Council, and to address the interests and concerns of both sides in a manner which can gradually create the conditions for the opening of negotiations."

United Nations S/2008/148

Security Council

Distr.: General
4 March 2008

Original: English

Letter dated 3 March 2008 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

Please find attached, for your information and consideration, a press release entitled "Ethiopia's occupation must end", issued by the Permanent Mission of Eritrea to the United Nations on 29 February 2008 (see annex).

I should be grateful if the present letter and its annex could be circulated among the members of the Security Council and issued as a document of the Security Council.

(*Signed*) Araya **Desta**
Ambassador
Permanent Representative

08-25862 (E) 050308

Annex to the letter dated 3 March 2008 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

Ethiopia's occupation must end

The Government and the people of Eritrea have all along been a good host to the troops of the United Nations who are serving in the mission area. Eritrea will continue to provide the necessary cooperation to the United Nations Mission in Ethiopia and Eritrea (UNMEE). Eritrea maintains that there is no threat to the security and safety of the United Nations troops in Eritrea. However, it is sad that the issue of fuel has been deliberately blown out of proportion, and the fabricated news about "cutting off food supply to the troops" and "seizing of troops' equipment" were disseminated to divert the attention and responsibility of the Security Council from addressing the occupation of Eritrean territory by Ethiopia.

This is not without precedent. The situation early in 2006 was similar in many respects to the current situation that attempts to derail the peace process. The border dispute is now over. The Eritrea-Ethiopia Boundary Commission, a neutral body established in accordance with article 4.2 of the Algiers Agreement, officially submitted signed maps to the parties and to the United Nations at the end of November last, as noted in the twenty-sixth report of the Boundary Commission to the United Nations Secretary-General.

The peaceful and legal conclusion of the border conflict between Eritrea and Ethiopia as envisioned in the provisions of the Algiers Agreements was a good occasion for the Security Council to consider the matter and take the necessary steps to ensure that the rule of law is fully respected. The consideration of the new development was postponed until January 2008 to coincide with the expiration of the UNMEE mandate, where discussions focused on the future of UNMEE but not on the future of the 1 million inhabitants of Eritrea in the temporary security zone who have waited patiently for over seven years to resume their normal lives within safe and secure borders.

In this regard, Security Council resolution 1798 (2008) is very revealing in its intent and its direction. The resolution totally disregards the final demarcation decision of the Boundary Commission, which has sole jurisdiction for determining the boundary on the basis of the colonial treaties and international law (articles 4.1 and 4.2 of the Algiers Agreement). Moreover, the resolution ignored the fact that the delimitation and demarcation decision of the Algiers Agreement is also final and binding on the parties, and "Each party shall respect the border so determined, as well as the territorial integrity and sovereignty of the other party" (article 4.15 of the Algiers Agreement).

To remain silent, however, at the time when the matter was concluded in November 2007 and to dwell on peripheral issues when the opportunity arose to discuss the issue of Eritrea and Ethiopia, raises a serious concern about the Security Council's readiness to contribute to regional peace and security. The Security Council needs to remind itself that the core of the problem has been Ethiopia's refusal to meet its treaty obligation. It is important to recall that it is Ethiopia and not Eritrea that is responsible for the fact that boundary pillars have not been erected. Indeed, had Ethiopia not rejected the delimitation decision and the

demarcation directives and orders of the Commission as originally foreseen, the problem would have been resolved in 2004 within the timeline anticipated then. Physical demarcation could not be implemented because Ethiopia reneged on its treaty obligation and commitments and the Security Council failed to secure Ethiopia's compliance.

Thus, ignoring the underlying issue in the Security Council has given the green light to Ethiopia to continue to occupy sovereign Eritrea territory. The Security Council should not fail to exercise its moral and legal responsibility under the Charter of the United Nations. Ambassador John Bolton's book *Surrender is not an Option* gives an account how the peace process was undermined to accommodate Ethiopia. The same rules and standards must be applied to all members of the United Nations, and Ethiopia cannot be above the law and it must be held responsible for violating the Algiers Agreement and international law.

Numerous key provisions of the Algiers Agreements were systematically violated by Ethiopia with impunity. In order to delay and prevent the demarcation by pillars, Ethiopia has repeatedly breached the Algiers Peace Agreement, inter alia, by:

- Refusing to comply with Security Council resolution 1430 (2002) to evacuate from the illegal settlement it made in Eritrea in July 2002, a few months after the legal delimitation verdict was awarded.
- Rejecting the final and binding Boundary Commission award as "illegal, unjust and irresponsible" and proposing that the Security Council set up an alternative mechanism to areas that it contests (2003).
- Illegally sending its militia armed with AK-47s to the temporary security zone and threatening UNMEE peacekeepers by firing over their heads.
- Harassing United Nations and Boundary Commission personnel attempting to carry on their field work in the border region; preventing the Boundary Commission staff from continuing the physical demarcation which started on the eastern sector of the 1,000-km long border; and forcing the Boundary Commission to close its field offices.
- Failing to meet its financial obligation to the trust fund for demarcation; failing to respond to the Commission's request for assurances of freedom of movement and security for its staff travelling to the region to reopen the Commission's field offices; and refusing to appoint liaison officers.
- Deployment and steady build-up of armed forces near the southern boundary of the temporary security zone.

Yet the Security Council treated Ethiopia's flagrant violations as not consequential to regional peace and security. Eritrea again urges the Security Council to exercise its moral and legal responsibility in bringing an end to Ethiopia's occupation and restoring the territorial integrity of Eritrea.

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General Assembly
Security Council

Distr.: General
4 March 2008

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 28 February 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Palestinian death toll is mounting as a result of the indiscriminate and lethal military assaults being carried out by the Israeli occupying forces against the Palestinian civilian population. Since the start of this month, at least 76 Palestinians, including 13 children, have been killed by Israel, the occupying Power, in the Occupied Palestinian Territory.

In deliberate and flagrant breach of article 33 of the Geneva Convention relative to the Protection of Civilians in Time of War, Israel continues to collectively punish the Palestinian civilian population in the Gaza Strip, including by means of military reprisals against persons and property and by acts of terror and intimidation. Such violence is deepening in the suffering of a population that is already under severe duress due to the crippling siege and humanitarian calamity imposed on them for many months now by the occupying Power. Moreover, the carnage and destruction are perpetuating a cycle of violence that threatens to completely destabilize the situation and derail the fragile peace process.

Yesterday, 27 February 2008, the Israeli occupying forces launched a targeted air missile strike in the Khan Younis area in southern Gaza, extrajudicially executing five Palestinian men. Earlier in the day, Israeli occupying forces also targeted and killed a Palestinian man in the Bureij refugee camp in central Gaza. With such incessant fuelling of the cycle of violence, this attack was followed by retaliation from Gaza into southern Israel, killing an Israeli man.

Despite the strong reaction to this killing by the Palestinian Authority leadership and the reiteration of calls for a cessation of all violence on both sides to avert the dangerous spiralling of the situation on the ground, Israel persisted in its escalation of military assaults against the Gaza Strip, killing more Palestinians and further terrorizing the civilian population throughout the day. Among the Palestinians killed by the ongoing Israeli rampage were four children, including a five-month old baby, Mohammad Nasser Al-Bora'ei, and three young boys who

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were innocently playing outside together, Bilal Hijazi, age 10, Anas Al-Mana'ma, age 10, and Mohammad Khalil Hamada, age 11.

Moreover, the occupying Power, in addition to its other illegal practices, also committed several killings in the West Bank. In the city of Nablus, where the Palestinian Authority has been exerting serious efforts to promote law and order, Israeli undercover units raided the Balata refugee camp, killing three Palestinians in two separate incidents and arresting several others. Undoubtedly, such actions gravely undermine the strides made by Palestinian security forces to establish calm and security in the area and threaten the truce agreement reached there.

Today, the Israeli occupying forces continued their violent and illegal reprisal killings, launching a series of deadly air strikes via warplanes and helicopters against civilian areas in the Gaza Strip, killing at least 18 Palestinians. Several of those killed today were the targets of extrajudicial execution by the occupying Power. Five children were also killed in attacks today, including three children from the same family, Ali Dardonah, age 8, Deeb Dardonah, age 11, and Omar Dardonah, age 14, and another two boys, Mohammad Na'eem Hammouda, age 7, and Amjad Hafez Al-Sakani, age 12.

Yet, it must be cautioned that Israel, the occupying Power, did not begin this wave of bloodshed just yesterday. It has been an incessant, cruel and indiscriminate military campaign that has brought untold suffering and loss daily to the Palestinian people, particularly in the Gaza Strip. One tragic example of the devastation being wrought by the occupying Power is an attack that was launched nearly two weeks ago also in the Gaza Strip in Al-Bureij refugee camp, which resulted in the killing of a father, mother and three children in their home, which was completely destroyed, the killing of three other Palestinian civilians in neighbouring homes and the wounding of dozens more civilians, including several children.

The above-mentioned acts of lethal aggression by Israel, the occupying Power, are blatant violations of international law, including humanitarian and human rights law. Such wilful killing of civilians and wanton destruction of property also constitute war crimes.

Moreover, these unlawful actions are not actions that in any way whatsoever can promote calm and stability and serve the peace process. These illegal actions are inflammatory, provocative and dangerous and serve only to fully ignite the cycle of violence, death and destruction and undermine any progress made in the peace process. This is an indisputable fact. The peace process is not divorced from the situation on the ground. Just as positive developments and progress in the peace process can beneficially impact the situation on the ground, such negative developments and illegal actions very detrimentally impact not only the situation on the ground but the peace process itself. The continuation of this sick pattern and vicious cycle will only bring more suffering and loss for both the Palestinian and Israeli peoples and take us farther away from the realization of peace.

We are at a juncture where the international community is in clear concurrence about what is needed to advance the process towards the attainment of a just, lasting and comprehensive peace. Moreover, we are at a juncture where two high-level United Nations officials, including the United Nations Special Coordinator and Personal Representative of the Secretary-General, Robert Serry, and the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator,

John Holmes, have just briefed the Security Council on the critical and absolutely untenable situation in the Occupied Palestinian Territory, with its grave consequences for the security, well-being and human dignity of Palestinian civilians, and have clearly stressed the urgency of bridging the huge gap between the situation on the ground and the peace process between the Palestinian and Israeli sides, including through a new and more positive strategy vis-à-vis the Gaza Strip by the concerned parties, in order to avert the fatal undermining of that process and the sabotaging of all hopes for peace. This requires immediate and real action by the international community.

The Security Council cannot continue to be sidelined and paralyzed as this crisis continues to unfold and escalate. It must uphold its Charter responsibilities and act to bring an end to this cycle of violence and counter-violence. It must demand respect for the sanctity of civilian life and demand utmost respect for the provisions of international humanitarian law that are supposed to provide innocent civilians with protection in situations of armed conflict, including situations of foreign occupation. The Security Council must be a player to help the parties concerned to develop and promote the new strategy that has been called for to resolve the current crisis, ameliorate the terrible situation on the ground and create a calmer, more positive environment for the advancement of peace negotiations in good faith.

This letter is in follow-up to our previous 308 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 7 February 2008 (A/ES-10/412-S/2008/81), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, it is my deep regret to inform you that, since our last letter to you, at least 58 more Palestinian civilians, including 13 children, have been killed by the Israeli occupying forces, causing the total number of martyrs killed since September 2000 to surpass 5,000 people, totalling now 5,012. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

Annex to the identical letters dated 28 February 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (from Saturday, 9 February 2008 to Thursday, 28 February 2008)

Saturday, 9 February 2008

1. Mohammad Motair

Sunday, 10 February 2008

2. Rami Abdel Rahman Kareem
3. Saleh Nabhan

Thursday, 14 February 2008

4. Tayseer Mohammad Abdel Qader Nazzal

Friday, 15 February 2008

5. Ayman Abu Fayed
6. Marwa Abu Zayed
7. Basma Ayman Abu Fayed (12)
8. Ayyoub Ayman Abu Fayed (5)
9. Ali Ayman Fayed (17)
10. Talal Salah Abu Awn
11. Attallah Al-Somairi

Saturday, 16 February 2008

12. Hani Shaheen

Monday, 18 February 2008

13. Ibrahim Saleh
14. Abdel Kareem Al-Ghalban
15. Nasser Abu Shabab
16. Abdel Salam Abu Susain
17. Alaa' Abu Haddaf

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* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 5,012.

Wednesday, 20 February 2008

18. Ismail Jadallah
19. Tamer Mohammad Abu Sha'ar (10)

Saturday, 23 February 2008

20. Bassam Al-Hazeen
21. Ayman Abu Sa'eed
22. Mohammad Talal Al-Za'anin
23. Ibrahim Abu Jarad
24. Mohammad Hassan Hossanain

Sunday, 24 February 2008

25. Midhat Aayesh Awad
26. Ibrahim Abu Jarad

Monday, 25 February 2008

27. Hassan Suleiman

Wednesday, 27 February 2008

28. Mohammad Nasser Al-Bora'ei (5 months)
29. Bilal Hijazi (11)
30. Anas Al-Mana'ma (10)
31. Mohammad Hamada (11)
32. Ibrahim Zaki Al-Massimi
33. Zaki Adnan Abu Zaid
34. Munawar Abu Mandeel
35. Omar Attiya Abu Akar
36. Aziz Jawdat Mas'oud
37. Hassan Nour Al-Mutawaq
38. Abdallah Mohammad Edwan
39. Mohammad Majdi Abu Al-Hossain
40. Hammad Masalha

Thursday, 28 February 2008

41. Deeb Dardonah (11)
42. Omar Dardonah (14)
43. Ali Dardonah (8)

44. Mohammad Na'eem Hammouda (7)
45. Amjad Hafez Al-Sakani (12)
46. Jawad Khamees Tafesh
47. Hamza Khalil Al-Hayya
48. Ahmad Saleem Al-Samary
49. Amjad Al-Amreeti
50. Maher Abu Al-Reesh
51. Ahmad Al-Nadi
52. Loai Fa'eq Qanaita
53. Ramez Nasser
54. Awad Al-Banna
55. Mohammad Abdallah Zowaidi
56. Tal'aat Saleh Al-Romailat
57. Mohammad Al-Helou
58. Rami Khalifa

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Security Council

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 3 March 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I regret to inform you that, since my last letter to you and the convening of the emergency meeting of the Security Council on Saturday, 1 March 2008, the Palestinian death toll has continued to rise as a result of the military onslaught unleashed by Israel, the occupying Power, against the Palestinian civilian population in the Gaza Strip.

Recovery efforts in the town of Jabaliya in the northern Gaza Strip have revealed that, on Saturday, 1 March 2008, alone a total of 70 Palestinians were killed by Israel, the occupying Power, including 16 children and 8 women, many of them members of the same families. Moreover, Israel continued its military attacks on Sunday and today killing another 17 Palestinians, including another six children and one woman. A shocking indication of the indiscriminate, excessive and lethal force being used by Israel against the Palestinian civilian population is the total number of children killed in just three days, 22 children, in addition to other innocent civilians killed by the occupying forces.

Among the innocent children killed by the Israeli occupying forces during the three-day Israeli military rampage were Abdallah Nabeel Abed Rabbou, age 4, Abdel Ra'ouf Abdel Kareem Odeh, age 10, Nirmeen Ra'ed Ali Abu Saif, age 12, Iyad Mohammed Abu Shibak, age 14, Jackleen Mohammad Abu Shibak, age 16, Mahmoud Bassam Obaid, age 15, Hassan Rashad Safi, age 16, Ghada Al-Abed Saleh, age 16, Waheed Saleh, age 16, Ahmad Al-Batsh, age 16, Samah Zidan Asaliyya, age 17, Na'el Zuhair Abu Awn, age 17, Abdel Raheem Ahmad Saleh, age 17, Sari Abu Obaid, age 18, Ahmad Abu Salama, age 16, and Mohammad Abu Hajar, age 17.

As we stated at the Security Council's emergency meeting and reiterate once more, and will continue to state: There is no justification whatsoever for the killing of innocent children and their mothers. We reiterate that when the slaughter of innocent children and women has become acceptable or is somehow justified under

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the pretext of promoting security or "counter-terror", we know for certain that we have sunken into the dark abyss, where there is a total absence of the law, absence of logic or reason, absence of morality, absence of conscience and absence of humanity.

International humanitarian law and human rights law were created for the purpose of protecting human life and dignity everywhere and preventing such reckless and condemnable abandon of morality and conscience. Regrettably, however, the occupying Power has never respected international law and continues to commit systematic violations and grave breaches of the law. The lethal military assaults carried out by the occupying forces by warplane and helicopter missile strikes and tank shelling and gunfire by troops on the ground have caused massive human carnage and widespread destruction of property in the area and the entire civilian population remains in a state of fear, panic and trauma. Emergency rescue personnel are still sifting through the rubble of destroyed homes, searching for bodies amid the charred flesh and scattered limbs left behind by the Israeli attacks. All of this is being endured by the Palestinian civilian population in the Gaza Strip, in addition to their continuing imprisonment by the occupying Power, which continues its siege of the Territory and continues to obstruct the access of the people to vital humanitarian aid and supplies and necessary fuel.

The enormity of these crimes being committed by Israel against the Palestinian people cannot be denied, and the many short and long-term consequences on the ground are harrowing, as is the impact of these negative developments on the peace process. Israel, the occupying Power, must be held accountable for such grave breaches of the law and cannot continue to be allowed to act with such flagrant and vicious impunity. In this regard, we echo the call made by the Secretary-General before the Security Council on 1 March 2008 for incidents in which civilians have been killed or injured to be investigated and accountability to be ensured.

Moreover, we reiterate our call upon the international community, including the Security Council, to act immediately to help to bring about a cessation of all violence and hostilities and ensure respect for international law. The Council cannot continue to remain on the sidelines as the conflict escalates with the fierce refueling of the cycle of violence and the continued steep deterioration of the humanitarian situation on the ground in the Occupied Palestinian Territory. Tangible measures must be taken to address this crisis and to avert its further dangerous decline; to aid the Palestinian civilian population, including by providing them with the necessary protection and assistance to help them cope with the humanitarian crisis they are facing; and to promote the calm needed to help the parties resume peace process negotiations towards ultimately ending this tragic and prolonged conflict that has destroyed and claimed far too many lives.

This letter is in follow-up to our previous 310 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 1 March 2008 (A/ES-10/413-S/2008/144), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, I regret to inform you that, since my last letter to you, 38 more Palestinians are reported to have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 5,103 people. (The names of the martyrs killed by the occupying Power from 29 February to 3 March 2008 are included in the annex to the present letter.)

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

Annex to the identical letters dated 3 March 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (from Friday, 29 February 2008 to Monday, 3 March 2008)

Friday, 29 February 2008

1. Mohammad Shamiyya
2. Khalil Ahel
3. Alaa' Al-Bornou (17)
4. Fatma Al-Qar'aawi

Saturday, 1 March 2008

5. Jackleen Mohammad Abu Shibak (16)
6. Iyad Mohammad Abu Shibak (14)
7. Bassam Mohammad Obaid
8. Mahmoud Bassam Obaid (15)
9. Hamza Mohammad Al-Jamal
10. Hassan Rashad Safi (16)
11. Abdallah Abu Sho'aira
12. Mohammad Hani Al-Mabhouh (18)
13. Ghada Al-Abed Saleh (16)
14. Hamada Al-Abed Saleh
15. Mosleh Mohammad Mosleh
16. Mosleh Mohammad Abu Ali
17. Abdallah Nabeel Abed Rabbou (4)
18. Mostafa Sa'eed Abu Jalala
19. Mostafa Saleh Zaghloul
20. Abdel Rahman Mohammad Shihab
21. Iyad Abdel Kareem Al-Ashram
22. Abdel Hameed Hamed Hamada
23. Ibrahim Shaa'ban Al-Zain
24. Sa'eed Al-Hasheem
25. Ahmad Al-Batsh (16)

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 5,103.

26. Mo'tasim Faraj Abed Rabbou
27. Thabet Fat'hi Junaid
28. Mahmoud Abdel Mo'ti Saleem
29. Hussain Sami Al-Batsh
30. Tal'aat Dardona
31. Samah Zidan Asaliyya (17)
32. Salwa Zidan Asaliyya
33. Mahmoud Faraj Asaliyya
34. Jihad Abu Haleel
35. Sa'ed Al-Dabbour
36. Abdel Ra'ouf Abdel Kareem Odeh (10)
37. Na'el Zuhair Abu Awn (17)
38. Yasser Ismail Abu Odeh
39. Hassan Kamal
40. Tamer Wishah
41. Mahmoud Monzer Rayyan
42. Ahmad Rayyan
43. Ali Jabr Al-Kitnani
44. Mahmoud Na'eem Al-Attar
45. Abdel Mo'ti Saa'd Ahad
46. Abdel Rahman Attallah
47. So'ad Attallah
48. Khaled Abdel Rahman Attallah
49. Ibrahim Abdel Rahman Attallah
50. Rajaa' Abdel Rahman Attallah
51. Ibtissam Abdel Rahman Attallah
52. Nirmeen Ra'ed Ali Abu Saif (12)
53. Ahmad Abdel Rahman Saleh
54. Mohammad Abdel Qader Aqilan
55. Muhannad Omar Al-Anshasi
56. Bilal Al-Jammal
57. Raa'fat Abdel Aziz Hamad
58. Hassan Ibrahim Abu Al-Naja
59. Sadeq Youssef Al-Baleeshi
60. Sameer Hamad Asfour
61. Mohammad Omar Abu Ni'ma

62. Emad Ibrahim Al-Tallaa'
63. Subhi Mofeed Awadallah
64. Abdel Kareem Hosni Al-Aww
65. Mahmoud Honaidaq (16)
66. Waheed Saleh (16)
67. Mohammad Abdel Mo'ti Saleem
68. Mostafa Nasser Mannoun
69. Sultan Al-Zain
70. Sari Abu Obaid (18)
71. Khaled Abu Eiada
72. Hamada Al-Abed Saleh
73. Abdel Raheem Ahmad Saleh (17)
74. Mohammad Zaqqout

Sunday, 2 March 2008

75. Khalil Ezz El-Din
76. Loai Jamal Abed Rabbou
77. Mahmoud Bahar (14)
78. Youssef Mohammad Madi Abu Warda
79. Wisam Fayez Abde Rabbou
80. Mahmoud Abdel Khaleq Abu Eita
81. Mahmoud Mohammad Al-Mosalma (13)
82. Na'eem Abdallah Abu Al-Hosni
83. Ra'ed Junaid
84. Ramzi Khwaiter

Monday, 3 March 2008

85. Mohammad Saleh Shreita (18)
86. Ghassan Abed Rabbou
87. Aref Deghmesh
88. Waleed Abu Youssef
89. Ahmad Na'eem Abu Salama (16)
90. Mohammad Abu Hajar (17)
91. Hassan Ziyada Abu Jasser (18)

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Sixty-second session
Agenda item 20
The situation in the occupied territories of Azerbaijan

Security Council
Sixty-third year

Letter dated 3 March 2008 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith an explanatory memorandum for the draft resolution introduced under agenda item 20, entitled "The situation in the occupied territories of Azerbaijan" and a map reflecting the present situation in the occupied territories of Azerbaijan (see annex).

In view of the forthcoming consideration of the item at a plenary meeting of the General Assembly, I should be grateful if the explanatory memorandum and the map were urgently distributed as a document of the General Assembly, under item 20, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

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Annex to the letter dated 3 March 2008 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Explanatory memorandum for the draft resolution entitled "Situation in the occupied territories of Azerbaijan" (A/62/L.42)

In implementation of its territorial claims Armenia occupied the Nagorno-Karabakh region of Azerbaijan and seven adjacent districts. The occupation was accompanied by a policy of ethnic cleansing and more than 1 million Azerbaijanis became refugees and internally displaced people.

Responding to the occupation of the Azerbaijani territories the Security Council in 1993 adopted four resolutions — 822 (1993), 853 (1993), 874 (1993) and 884 (1993) — demanding the immediate, complete and unconditional withdrawal of the occupying forces from the occupied territories of Azerbaijan and the creation of necessary conditions for the return of displaced persons to their homes in security and dignity. Those provisions of the resolutions remain unimplemented.

The negotiations under the OSCE Minsk Group started in 1992. At the OSCE Lisbon Summit in 1996 the Co-Chairmen of the Minsk Group and the OSCE Chairman-in-Office recommended and made statements in support of the following principles as the basis for the settlement of the conflict: the territorial integrity of Armenia and Azerbaijan; the highest degree of self-rule for Nagorno-Karabakh within Azerbaijan; guaranteed security for Nagorno-Karabakh and its whole population. But Armenia was the only one out of 54 OSCE participating States which did not accept these principles.

While negotiations are going on, Armenia tries to consolidate the occupation through illegal activities in the occupied territories of Azerbaijan. Armenia has launched an outrageous policy of exploiting natural resources in the occupied Azerbaijani territories, in particular the gold mines in Kalbajar district, aiming to engage overseas companies in the illegal business.

In addition, Armenia falsifies history and misappropriates the cultural and architectural heritage of all occupied territories. Religious and historical monuments, ancient manuscripts and other cultural properties have been destroyed, refashioned, plundered and removed.

Furthermore, Armenia has launched an outrageous policy of massive illegal settlement of Armenian population in the occupied territories, which is another blatant violation of international law.

In an expression of serious concern about the massive settlement in the occupied territories, the item entitled "The situation in the occupied territories of Azerbaijan" was included in the General Assembly's agenda at the fifty-ninth session. As a result of the consideration of the item at a plenary meeting of the General Assembly on 23 November 2004, the first-ever OSCE fact-finding mission was dispatched to the occupied territories of Azerbaijan from 31 January to 5 February 2005.

The fact-finding mission confirmed the facts of the Armenian settlement of the occupied territories. The Co-Chairmen of the OSCE Minsk Group requested that any

further settlement of the occupied territories of Azerbaijan be discouraged and urged that changes be avoided in the demographic structure of the region, which would make difficult any further efforts to achieve a negotiated settlement of the conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan (see A/59/747-S/2005/187). The fact-finding mission became feasible owing to the General Assembly's just and right approach to the grave concern articulated by Azerbaijan.

However, another dangerous development occurred in the occupied territories. Starting from June 2006 we registered massive fires in the eastern part of the occupied territories. What deeply concerned us was the continuation of the fires and the fact that they had been taking place in those territories where the Azerbaijani population would eventually return.

With the view to taking comprehensive measures to suppress the fires, eliminating the impact of this environmental disaster and rehabilitating the fire-affected territories of Azerbaijan, our delegation, acting in the spirit of compromise, during intensive consultations, demonstrated maximum flexibility to accommodate every concern and, as a result, on 7 September 2006 the General Assembly adopted resolution 60/285 without a vote.

Pursuant to that resolution, an environmental assessment mission led by OSCE to the fire-affected territories in and around the Nagorno-Karabakh region was conducted from 2 to 13 October 2006. In its report, the mission proposed short-, medium- and long-term initiatives (see A/61/696). However, those proposals, which, beside their ultimate aims, supposed the establishment of confidence, have never been implemented in the occupied territories.

Azerbaijan has always conducted the negotiations in good faith, whereas Armenia, contrary to the aims of negotiations, through continued military occupation, demonstrates its unchanged "fait accompli" policy and this position of the Armenian officials should ring another alarm bell about the real intentions of the Government of Armenia.

The talks are built on the clear basis of the full restoration of Azerbaijan's territorial integrity and sovereignty. In the final stage of the settlement, we envisage a peaceful and prosperous region, where the Azerbaijani and Armenian communities of Nagorno-Karabakh would live in friendship and security within the Republic of Azerbaijan. To arrive at this point, we need to eliminate the consequences of the conflict, namely, the occupying forces shall leave all occupied territories, internally displaced people shall return to their places of origin, and transport and communication links shall be restored.

In spite of negotiations that have continued for more than a decade, the conflict is not settled and this situation causes on our part profound anxiety, frustration and disappointment. The consideration of the item at the plenary meeting of the General Assembly absolutely does not mean that we intend to change the format of the negotiations on the settlement of the conflict. The main reason for the discussion of the item and for taking action on the draft resolution is to reconfirm the basic principles of the settlement of the conflict, to express support for the mediators and to encourage them to intensify efforts aimed at the peaceful settlement of the conflict in accordance with the norms and principles of international law, in particular those related to sovereignty and territorial integrity,

and to give an additional impulse to the peace process in order to prevent a possible impasse and stagnation in the negotiations. The international community should give a clear message that the acquisition of any territory of a sovereign State by force and the situation resulting from it will never be recognized as legal.

Azerbaijan values the position of the international community, which has unequivocally supported the territorial integrity of Azerbaijan. Azerbaijan strongly believes that, at this crucial juncture in the United Nations reform process, the General Assembly, as the chief deliberative, policymaking and representative organ of the United Nations, will again prove its relevance and validity to deal with any question relating to the maintenance of international peace and security, articulate its position and address the issue of concern. The forthcoming consideration of the item is not only about voting for the draft resolution, it is not even about expressing political support for the concern of Azerbaijan, it is about boosting the principles and norms of international law, it is about supporting all Member States whose sovereignty and territorial integrity might be in danger at any time in this crucial and difficult period of international relations.

RESULTS OF ARMENIAN AGGRESSION

Refugees and IDP	
Refugees from Armenia	- 250 000
Internally displaced persons from the occupied territories	- 660 000
Internally displaced persons from regions along the border with Armenia and line of occupation	- 100 000
Total	-1 010 000

Armenian Armed Forces in the occupied territories			
Tanks - 316	Artillery - 322		
ACV - 324	Personnel - 40 000		
Settlers illegally transferred to occupied territories			
Nagorny-Karabakh	- 8 500		
Lachin	- 13 000		
Kelbajar	- 700		
Zangilan	- 520		
Jabrayil	- 280		
Total	- 23 000		

- Temporary Refugee/IDP settlements
- IDP tent camps
- Occupied territories
- Line of occupation
- Admin. line of the former NKAO of Az.SSR

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Occupied territories of Azerbaijan

Nagorny-Karabakh region

Territory	- 4 388 sq. km
Population (1989)	- 189 085
Armenians	- 145 450 (76,9%)
Azerbaijanis	- 40 488 (21,5%)
Russians	- 1922 (1%)
Others	- 1025 (0,6%)

Shusha district

Territory	- 289 sq. km
Population (1989)	- 28 579
Azerbaijanis	- 19 036 (92,5%)
Armenians	- 1 377 (6,7%)
Occupied	- May 8, 1992

Districts outside Nagorny-Karabakh region

	Occupation	*Expulsion*
Lachin	- May 18, 1992	- 71 000
Kelbajar	- April 2, 1993	- 74 000
Agdam	- July 23, 1993	- 165 600
Fizuli	- August 23, 1993	- 146 000
Jabrayil	- August 26, 1993	- 66 000
Gubadly	- August 31, 1993	- 37 900
Zangilan	- October 28, 1993	- 39 500

Victims of aggression

Killed - 20 000 Disabled - 50 000 Missing - 4 866

Destructions and damage

Settlements	- 890
Houses	- 150 000
Public Buildings	- 7 000
Schools	- 693
Kindergartens	- 855
Health Care Facilities	- 695
Libraries	- 927
Temples	- 44
Mosques	- 9
Historical Places	- 9
Historical Monuments and Museum	- 464
Museum Exhibits	- 40 000
Industrial and Agricultural Enterprises	- 6 000
Motor Ways	- 800 km
Bridges	- 160
Water Pipelines	- 2 300 km
Gas Pipelines	- 2 000 km
Electricity Lines	-15 000 km
Forests	- 280 000 ha
Sowing Area	- 1 000 000 ha
Irrigation Systems	- 1 200 km

The total damage is estimated up to 60 billions US $

A/62/713
S/2008/151

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Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Security Council
Sixty-third year

Letter dated 29 February 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

In my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to transmit herewith a statement of the Coordinating Bureau of the Non-Aligned Movement on the situation in the Occupied Palestinian Territory, including East Jerusalem, adopted on Friday, 29 February 2008 (see annex).

The Non-Aligned Movement strongly condemns the continuing military assaults by Israel, the occupying Power, against the Palestinian civilian population in the Gaza Strip, which, since the beginning of the month of February, have resulted in the killing of 76 Palestinians, including 13 children. The Non-Aligned Movement reiterates once again that the aggressive and violent escalation by Israel against the Palestinian people constitutes a grave breach of international law, including humanitarian and human rights law, fuels the cycle of violence and threatens international peace and security as well as the fragile peace process between the two sides.

Furthermore, I kindly request that the present letter and its annex be circulated as a document of the General Assembly, under agenda items 17 and 18, and of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Permanent Representative of Cuba to the United Nations
Chair of the Coordinating Bureau
of the Non-Aligned Movement

08-26015 (E) 060308

Annex to the letter dated 29 February 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement of the Coordinating Bureau of the Non-Aligned Movement on the situation in the Occupied Palestinian Territory, including East Jerusalem

The members of the Non-Aligned Movement express their grave concern over the Israeli aggressive escalation against the Palestinian people and the serious deterioration of the situation on the ground in the Occupied Palestinian Territory, particularly in the Gaza Strip.

The members of the Non-Aligned Movement strongly condemn the continuing military assaults by Israel, the occupying Power, against the Palestinian civilian population in the Gaza Strip, which, since the beginning of the month of February, have resulted in the killing of 76 Palestinians, including 13 children. Such violent and illegal actions have deepened the suffering of innocent and defenceless Palestinians in the Gaza Strip, who are already greatly suffering from continued imposition of the crippling Israeli siege and the ensuing humanitarian crisis. Moreover, this violent military escalation by Israel constitutes a grave breach of international law, including humanitarian and human rights law, fuels the cycle of violence and threatens international peace and security as well as the fragile peace process between the two sides.

The Non-Aligned Movement calls upon the international community, especially the Security Council, to uphold international law and its responsibilities and to act urgently to address this growing crisis. Israel, the occupying Power, is called upon to immediately cease its violations and to abide by all of its obligations under international law and relevant United Nations resolutions as the occupying Power in the Occupied Palestinian Territory, including East Jerusalem.

The Non-Aligned Movement reaffirms its support for and solidarity with the Palestinian people during this critical period. Moreover, it reaffirms its long-standing principled positions calling, inter alia, for an end to the Israeli occupation of the Palestinian and other Arab lands occupied since 1967, the realization of the right of the Palestinian people to self-determination and the establishment of their independent State of Palestine, with East Jerusalem as its capital. The Non-Aligned Movement expresses the hope that the current dangerous deterioration of the situation will be halted and that positive developments on the ground will be generated to help advance the peace process towards the achievement of these goals and a just, lasting and comprehensive peace.

New York, 29 February 2008

United Nations S/2008/153

Security Council

Distr.: General
4 March 2008

Original: English

Letter dated 4 March 2008 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

I have the honour to enclose, in my capacity as Chair of the Organization of the Islamic Conference Group in New York, a statement by the OIC Group on the latest situation in Palestine, particularly in the Gaza (see annex).

It is requested that the attached statement may kindly be brought to the attention of the members of the Security Council and issued as a document of the Security Council.

(*Signed*) Munir **Akram**
Ambassador
Permanent Representative

08-26009 (E) 060308

Annex to the letter dated 4 March 2008 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

3 March 2008

Statement by the Organization of the Islamic Conference Group in New York on the situation in the Occupied Palestinian Territory, including East Jerusalem

The members of the Organization of the Islamic Conference (OIC) strongly condemn the incessant military onslaught by Israel, the occupying Power, against the innocent, defenceless and besieged Palestinian civilian population in the Occupied Palestinian Territory, in particular the Gaza Strip.

The excessive and disproportionate use of force by the occupying Power, including strikes by warplanes and ground artillery, and targeted extrajudicial killings, constitute grave breaches of international law, including humanitarian and human rights law. OIC is deeply grieved and distressed at the heavy civilian casualties, including women, children and infants, and the trauma being endured by the Palestinian people in the face of widespread destruction. This wanton use of force, collective punishment and terrorizing of civilian populations and other illegal actions of the occupying Power, including its targeting of ambulances and medical rescue teams, have no justification whatsoever. OIC shares the international concern over further deterioration of the already dire humanitarian situation in the Gaza Strip caused by this recent military escalation by Israel and its continuing illegal siege of the Gaza in defiance of world opinion.

The Organization of the Islamic Conference also condemns the illegal Israeli action in the West Bank, including the killing of innocent civilians, among them children, extrajudicial assassinations and the building of settlements and the wall. These actions only fuel the cycle of violence, undermine the steps taken by the Palestinian Authority to establish calm and security and threaten the prospects of peace.

The international community must hold Israel responsible for this recent escalation and its dangerous consequences for the civilian population in the Occupied Palestinian Territory, and for the fragile peace process. It is high time to ensure respect for the rule of law by putting an end to the impunity enjoyed by Israel. OIC supports the call by Secretary-General Ban Ki-moon that incidents in which civilians have been killed or injured must be investigated and accountability must be ensured. OIC expects urgent follow-up action in that regard.

The Security Council, in particular, must act in a credible, timely and effective manner in fulfilment of its Charter responsibilities to address the threat to international peace and security. The Council cannot remain silent and marginalized as this crisis escalates, undermining international law, the sanctity of civilian life and the vision of a just, lasting and comprehensive peace enshrined in the Council's own resolutions.

The Security Council must condemn all killing of innocent civilians and violence; take measures to bring about an immediate ceasefire and its respect by all parties; ensure full compliance by Israel, the occupying Power, with its obligations

under international law, including humanitarian and human rights law; demand an immediate end to the siege of the Gaza Strip; and call on the international community for provision of enhanced assistance to meet the humanitarian needs of the Palestinian population, particularly in the Gaza Strip. OIC looks forward to the Council's prompt consideration of these objectives.

The Organization of the Islamic Conference reaffirms its steadfast support to the Palestinian people for the realization of their inalienable right to self-determination and the establishment of a sovereign, independent and viable State of Palestine on the basis of the pre-1967 borders, with Al-Quds Al-Sharif as its capital.

United Nations A/62/716–S/2008/154

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Security Council

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General Assembly
Sixty-second session
Agenda item 17
The situation in the Middle East

Security Council
Sixty-third year

Identical letters dated 4 March 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith a statistical summary of Israeli violations from 22 to 29 February 2008 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

08-26027 (E) 060308 060308

Annex to the identical letters dated 4 March 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Subject: Israeli violations, acts of aggression and other activities from 22 to 29 February 2008

Air violations

On 22 February 2008, between 1838 hours and 2130 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Rumaysh and circled over Rumaysh, al-Na`imah and Damur. It departed over the sea off al-Naqurah.

On 23 February 2008, between 1015 hours and 1115 hours, enemy Israeli military aircraft overflew the Bint Jubayl and Tibnin regions at high altitude.

Between 1450 hours and 1800 hours, an enemy Israeli reconnaissance aircraft overflew the Jazzin and al-Nabatiyah regions.

Between 2035 hours and 2145 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over `Aytarun in a northerly direction as far as al-Nabatiyah, and circled over the southern regions. It departed over `Alma al-Sha`b.

On 24 February 2008, between 1220 hours and 1300 hours, enemy Israeli military aircraft overflew the al-Naqurah region at high altitude.

Between 2029 hours and 2110 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre and circled over Tyre and Beirut. It departed over the sea off al-Naqurah.

On 25 February 2008, between 1315 hours and 1430 hours, enemy Israeli military aircraft overflew the South region at high altitude.

On 26 February 2008, between 1655 hours and 2130 hours, an enemy Israeli reconnaissance aircraft intermittently overflew the Tibnin and occupied Shab`a farmlands regions.

Between 1920 hours and 2000 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Rumaysh in a northerly direction and circled over the southern regions. It departed over `Alma al-Sha`b.

On 27 February 2008, between 0805 hours and 1225 hours, two Israeli military aircraft violated Lebanese airspace over Kafr Kila and circled between Shikka and the South over both land and sea. They departed over `Alma al-Sha`b.

Between 1849 hours and 2215 hours, an Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah and circled over the sea between Sidon and al-Naqurah and over regions of the South. It departed over `Alma al-Sha`b.

On 28 February 2008, between 0845 hours and 0930 hours, four Israeli military aircraft violated Lebanese airspace, two over `Alma al-Sha`b and two over Yarun. All of them circled between Juniyah and the South over both sea and land. They departed over al-Naqurah.

Between 0905 hours and 0955 hours, two Israeli military aircraft violated Lebanese airspace over the occupied Shab`a farmlands in a northerly direction as far as Beirut and circled over regions of the western Bekaa and the South. They departed over `Alma al-Sha`b.

Between 1005 hours and 1055 hours, two Israeli military aircraft violated Lebanese airspace over Rumaysh in a northerly direction as far as Beirut and circled over regions of the western Bekaa and the South. They departed over the sea off al-Naqurah.

Between 1200 hours and 1420 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off al-Naqurah in an easterly direction as far as west of Tyre and then turned north as far as a point off Beirut. It departed over the sea off al-Naqurah.

On 29 February 2008, between 0750 hours and 1130 hours, an enemy Israeli reconnaissance aircraft intermittently overflew the al-Naqurah and Jazzin regions.

Between 1630 hours and 1800 hours, an Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre in a northerly direction as far as Sidon and circled over Sidon and Tyre. It departed over `Alma al-Sha`b.

Between 1824 hours and 2120 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre and circled over regions of the South. It departed over Rumaysh.

Sea violations

None reported.

Acts of aggression in the field

On 22 February 2008, between 0710 hours and 1700 hours, opposite the Kafr Kila crossing, the Israeli enemy pumped water into the ditch running along the technical fence inside Lebanese territory.

On 25 February 2008, at 2000 hours, the Israeli enemy shone a searchlight from the western gate of the Zar`it barracks in the direction of the Marwahin triangle and Jabal Balat for 14 seconds.

On 28 February 2008, between 1530 hours and 2130 hours, the Israeli enemy pumped water from inside occupied Palestinian territory opposite the village of Mays al-Jabal into Lebanese territory along the barbed wire strip.

On 29 February 2008, at 2045 hours and 2320 hours, the Israeli enemy shone a searchlight from its position east of Hanita (opposite the village of `Alma al-Sha`b) in the direction of the 62nd Battalion position at Lahlah hill outside `Alma al-Sha`b.

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Sixty-second session
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The situation in the Middle East

Security Council
Sixty-third year

Identical letters dated 4 March 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith a statistical table of Israeli violations during the month of February 2008 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

08-26021 (E) 060308 060308

Annex to the identical letters dated 4 March 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Statistical table showing Israeli violations during February 2008

Air violations					*Land violations*					
Military jet	*Reconnaissance*	*Helicopter*	*Total*	*Sea violations*	*Military acts of aggression*	*Field violations*	*Breaches*	*Total*	*Overall total*	*Previous month's violations*
				Crossing of territorial waters, and firing of automatic-weapons rounds, flares and flare shells over territorial waters	Air raids, artillery shelling, shelling of military positions and important posts, attacks on and killing of civilians	Gunfire, launching of flare bombs, dropping of artillery shells, infiltration and crossing of international borders	Threats and display of weapons, bulldozing of soil, placing of barbed wire and setting up of installations inside Lebanese territory			
22	29	4	55	—	1	4	9	14	69	73

United Nations S/2008/156

Security Council

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5 March 2008

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Letter dated 4 March 2008 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

I have the honour to transmit a press release issued on 3 March 2008 by the Ministry of Foreign Affairs of the State of Eritrea, entitled, "False accusations cannot undermine the final and binding boundary demarcation decision" (see annex).

I would be most grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Araya **Desta**
Ambassador, Permanent Representative

08-26132 (E) 060308

Annex to the letter dated 4 March 2008 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

Press release

False accusations cannot undermine the final and binding boundary demarcation decision

In the last few weeks, the United Nations Secretariat has been engaged in an unwarranted negative press and diplomatic campaign against Eritrea. In spite of those provocations, the Government of Eritrea has opted to engage constructively with the United Nations Secretariat avoiding being marred in this senseless media game.

The aim of tarnishing Eritrea's image with accusations is part of the strategy to deflect the attention from Ethiopia's occupation of sovereign Eritrean territory and to penalize Eritrea for its firm legal stance concerning the final and binding demarcation of the border with Ethiopia. It is astonishing, however, that the United Nations Secretariat is abandoning its neutrality and serving the wishes of Ethiopia and its cohorts.

This partiality and subservience on the part of the United Nations and the Security Council to the needs of Ethiopia and its patrons started long ago. In 2003, Ethiopia publicly rejected the "final and binding" decision of the Eritrea Ethiopia Boundary Commission by denouncing it as "illegal, unjust and irresponsible" and requested the Security Council to create an "alternative mechanism". The Security Council should have condemned that gross violation of the Algiers Agreement and immediately endorsed measures to ensure compliance with the terms of the Agreement and maintain its integrity. Regrettably, the Security Council not only ignored the fundamental terms of the treaty but also sought to placate Ethiopia by endorsing "special envoys". Even at this late hour, after the Boundary Commission has formally submitted its demarcation decision to the parties, the Security Council, as exemplified in its resolution 1798 (2008), continues to allude to the "good offices" of the Secretary-General instead of taking action to force Ethiopia to withdraw from sovereign Eritrean territories.

The Government of Eritrea firmly believes that any "alternative mechanisms" and "special envoys" related to the legally resolved border issue are irrelevant and unacceptable and could set a dangerous precedent in international law. The temporary "relocation" of the United Nations Mission in Eritrea and Ethiopia (UNMEE), which was effected under the pretext of fuel shortage, and the ensuing media and diplomatic campaign against Eritrea in that regard are just part of the reaction of Ethiopia's appeasers to Eritrea's rejection of the slightest derogation from the final and binding demarcation of the border. Consequently, as outlined below, what transpired surrounding the temporary "relocation" of UNMEE does not justify the criticisms levelled against Eritrea.

Eritrea, as a sovereign country, a primary party to the Agreement which led to the creation of UNMEE and a host to the peacekeeping mission, should have been provided in advance with the details of any changes in the status of the mission and the mission's major movements outside its area of responsibility. However,

notifications and notes verbales from UNMEE on those issues have been incomplete at best and annoying and provocative at worst.

The Government of Eritrea was notified on the afternoon of 12 February that UNMEE had decided to relocate to Ethiopia on the morning of 13 February. The note verbale that was sent by UNMEE did not include any details on the scope and duration of relocation; any legal explanation of its implications for UNMEE's original deployment in terms of the provisions of the Algiers Agreement; or any logistical details in terms of route and other vital information.

The UNMEE Force Commander further informed Eritrean Government authorities in Asmara that, under the relocation, the contingent on sector west would move to Badme, while other contingents would move from the centre to Zalambesa and from the east to Bure. The Force Commander had no answer when asked how it was contemplated to move troops to Badme if this was relocation to Ethiopia. The Department of Peacekeeping Operations of the United Nations Secretariat later denied and retracted the information.

Concerning the "regrouping" of members of the mission to Asmara, the Department/UNMEE informed the Government of Eritrea about the matter on 22 February, when the bulk of the troops had already arrived. The Government of Eritrea was not provided in advance with the plan for the move or the handling of the Mission's heavy equipment and other necessary details.

Subsequently, the Eritrean Government approached the Department to ascertain United Nations plans concerning UNMEE; however, no such information has been forthcoming. Rather, the Department is sending conflicting messages. In one note verbale, it requested fuel supply and the lifting of restriction of movements for UNMEE to go back to their original sites. Another note verbale, written on the same day, requested the Eritrean Government to take custody of the "equipment" UNMEE may have left on the vacated sites, with no details. The other two notes verbales, sent on 27 February, listed the posts from which they had already withdrawn and requested the Eritrean Government to provide assurances that UNMEE could use the ports and airports in the country in the event that they decided to withdraw their troops and equipment.

The negative press and diplomatic campaign they have been making is not justified and acceptable. The Secretary-General accused Eritrea at the African Union Summit in Addis Ababa, without even mentioning Ethiopia's refusal to abide by its treaty obligations. The Department, especially UNMEE in Addis Ababa, has been spreading poisonous information, claiming that the lives of UNMEE troops was in danger; they had been denied food supplies; sometimes that they had been forced to regroup; and at other times, they were kept hostage and prevented from relocating to Ethiopia. These days, since many people have found out that the propaganda of the past few weeks was at variance with the facts, they are claiming that Eritrea intends to requisition the weapons of UNMEE.

None of these accusations are based on the facts on the ground. Eritrea has never taken any action that could put the lives of the members of the peacekeeping mission at risk or tampered with their equipment. This whole episode is a manufactured crisis. Washington and Addis Ababa are behind this negative campaign undertaken to shift the attention from the core issue: Ethiopia's occupation of Eritrean territories. Indeed, the baseless media campaign has

emboldened Ethiopia and it is now demanding that the Security Council "impose punitive sanctions" on Eritrea, the victim of its illegal occupation.

The Government of Eritrea regrets the Security Council's entanglement in tangential issues by ignoring the continued illegal occupation of sovereign Eritrean territories by Ethiopia. The illegal occupation is a real threat to the peace, security and stability of the two countries and the region as a whole. The Government therefore reiterates its call on the Security Council to shoulder its legal responsibility and act decisively to end the occupation in the interest of regional and international peace and security.

Regardless of the campaign of disinformation and intimidation, the Government of Eritrea reaffirms that it will hold on to the core issue and the legally concluded final and binding boundary demarcation decision. As to the United Nations Secretariat, the Government expects the body to communicate in advance detailed plans and related information concerning the status and future of UNMEE.

Asmara
Ministry of Foreign Affairs of the State of Eritrea
3 March 2008

United Nations A/62/714–S/2008/157

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General Assembly
Sixty-second session
Agenda items 49 and 70 (b)

Culture of peace

Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Security Council
Sixty-third year

Letter dated 29 February 2008 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have the honour to enclose, in my capacity as Chair of the Organization of the Islamic Conference Group at New York, a statement issued by the OIC Group expressing concern about the increasing manifestations of Islamophobia (see annex). The repeated instances of Islamophobia encourage incitement to hatred against Islam and Muslims around the world and pose a threat to peace and security within and among States. These acts call for redoubling the efforts of the international community to promote understanding and respect for religions, cultures and civilizations.

It is requested that the annexed statement of OIC kindly be issued as a document of the General Assembly, under agenda items 49 and 70 (b), and of the Security Council.

(*Signed*) Munir **Akram**
Ambassador and Permanent Representative

08-26147 (E) 100308

Annex to the letter dated 29 February 2008 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

Organization of the Islamic Conference statement on Islamophobia

29 February 2008

The increasingly negative political and media discourse in the Western world targeting Muslims and Islam is a matter of grave concern for the Islamic Ummah. Over the years, the growing intolerance and discrimination against Muslims, and insults against Islam have become pervasive and are often condoned in certain Western countries and communities.

Among the instances of Islamophobia are the publication of blasphemous caricatures of the Prophet Muhammad (peace be upon Him) by newspapers in Europe, multiple campaigns for anti-Islamic regulations in several European countries including the imposition of restrictions on the construction of places of worship, and the impending screening of a documentary by a Dutch lawmaker, which insults the Holy Quran. They constitute incitements to negative sentiments and hatred against Muslims. Apathy, and inaction on the part of the Governments concerned in preventing such provocations and discrimination against Muslims and Islam, cannot be justified by the plea of freedom of expression. Unfortunately, such insults and intolerance against Islam are being provided intellectual justification by Western scholars and political lobbies who espouse anti-Islamic agendas, hence lending support to ideological violence against Muslims. Slogans such as "Islamo-fascism", "Islamic terrorism" and "radical Islam" are manifestations of and justifications for provocations and systematic insults against Islam. This phenomenon reflects the Islamophobia which afflicts segments of Western society.

The OIC Group believes that the right to freedom of expression carries with it special duties and responsibilities, and does not provide a licence to insult and hurt the sentiments and beliefs of others. It is the obligation of all States parties to the International Covenant on Civil and Political Rights, in accordance with article 20 thereof, to enact the necessary legislation to prohibit any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. The OIC Group observes that the European Court of Human Rights has previously ruled in favour of interference by the State to prohibit media material in cases involving other religions to guard against igniting religious sensitivities, and expects equal treatment in cases involving Islam and Muslims' rights.

The OIC Group in New York strongly deplores all acts of ideological and physical violence and assaults, and incitements thereto, against persons on the basis of their religion or belief, and those acts directed against the holy symbols, sites or places of worship of all religions. The Group is particularly and deeply alarmed by the intensification of the campaign of defamation against Islam, as it impairs Muslims' enjoyment of the right to freedom of thought, conscience and religion, and impedes their ability to observe, practise and manifest their religion freely and without fear of coercion, violence or reprisal.

Such acts against Muslims and Islam are inconsistent with the spirit of the Charter of the United Nations which seeks to promote peaceful coexistence among nations. They are in violation of numerous United Nations resolutions, including General Assembly resolutions 62/154 on combating defamation of religions and 55/23 on the Year of Dialogue among Civilizations, as well as Security Council resolution 1624 (2005), which call upon all Member States, inter alia, to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures. Such acts also erode the positive momentum generated by the launch of the Alliance of Civilizations and the General Assembly's High-level Dialogue on Interreligious and Intercultural Understanding and Cooperation for Peace, which, inter alia, aim to overcome misunderstandings between Islam and the West.

In the above context, the OIC Group in New York wishes to recall the joint statement of the Secretary-General of the United Nations, the Secretary-General of the Organization of the Islamic Conference and the High Representative for the Common Foreign and Security Policy of the European Union in Doha on 7 February 2006, in which it was recognized that "in all societies there is a need to show sensitivity and responsibility in treating issues of special significance for the adherents of any particular faith, even by those who do not share the belief in question".

In particular, the OIC Group believes that lack of action to prevent the reprinting of blasphemous caricatures, and indifference in airing the inflammatory documentary against the Holy Quran, will be perceived as manifestations of insincerity towards the principles and objectives of various efforts within the United Nations system aiming at promoting understanding and respect of and among cultures and civilizations.

The OIC Group urges the Secretary-General to call upon the Governments of the States that condone the publication of these blasphemous caricatures and media material as well as the campaigns for anti-Islamic regulations to take all possible legal and administrative measures to prevent the repetition or continuation of these deliberate offensive acts, which impinge greatly on the right to freedom of thought, conscience and religion of the followers of Islam. The OIC Group requests the Secretary-General to publicly express his unequivocal opposition to all acts of Islamophobia, and to declare that no Government should be complicit in undermining the ongoing efforts to promote harmony and friendly relations among the various cultures, religions and civilizations.